



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Susan M. Bowyer Ph.D., Kevin S. Brown, Dale A. Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and Thomas W. Wiggins

Vision Statement: The Community of Choice for Families and Business

Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."

Monday, January 23, 2017

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdell called the Regular Rochester Hills City Council Meeting to order at 7:01 p.m. Michigan Time.

ROLL CALL

Present 7 - Susan M. Bowyer, Kevin S. Brown, Dale Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and Thomas W. Wiggins

Others Present:

*Ed Anzek, Director of Planning and Economic Development
Bryan Barnett, Mayor
Tina Barton, City Clerk
Sean Canto, Chief of Fire and Emergency Services
Scott Cope, Director of Building and Ordinance Compliance
Joshua Morgan, Rochester Hills Government Youth Council Representative
Allan Schneck, Director of DPS/Engineering
John Staran, City Attorney
Pamela Valentik, Manager of Economic Development*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Bowyer, seconded by Hetrick, that the Agenda be Approved as Amended to add Legislative File 2017-0039 Proclamation in Recognition of Ed Anzek to immediately follow Council and Youth Committee Reports; and to move Legislative File 2017-0005 Request for Michigan Liquor Control Commission approval for an application for a Transfer of a Class C Liquor License for 2941 Street Foods Troy, LLC, to immediately follow Legislative File 2016-0474 Request for Conditional Use Approval to allow sales for on-site consumption of alcoholic beverages at 2941 Street Foods Troy. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council:

President Tisdell introduced **Joshua Morgan**, Rochester Hills Government Youth Council (RHGYC) Representative, and stated that he is a Senior at Oakland Christian School, carries a 3.96 grade point average, and is a lifelong Rochester Hills resident. He noted that this is Mr. Morgan's second year on the RHGYC, and he is the Captain of the Bowling Team, plays Football, runs Track, is a member of the National Honor Society member, and plays first chair tenor saxophone. He commented that Mr. Morgan plans to study biomedical engineering in college.

Mr. Morgan reported that the RHGYC partnered with the Rochester Area Youth Assistance this past weekend at the Rochester Fire and Ice Festival and is busy planning its annual upcoming 5K Run/Walk.

Southeastern Michigan Council of Governments (SEMCOG):

Mr. Hetrick reported that SEMCOG is working with the Metropolitan Affairs Coalition, gathering residents' input related to K-12 education. He noted that a survey is available for residents' input, and commented that he is hoping that the City would be able to incorporate a link to the survey on its website. He stated that anyone interested in completing the survey could also email him for the survey link.

Rochester Area Youth Assistance (RAYA):

Mr. Kubicina reported that last weekend's Fire and Ice Festival was the biggest fund raiser of the year for RAYA. RAYA hosted spaghetti dinners both Friday and Saturday nights and a pancake breakfast Sunday morning at the Rochester Fire Department. He expressed his appreciation to those that volunteered. He noted that an upcoming RAYA program is geared toward parents of children with Attention Deficit Hyperactivity Disorder (ADHD). The program will be held on February 22, 2017 at Hart Middle School.

Older Persons' Commission (OPC):

Vice President Morita reported that the OPC's annual dinner dance is set for February 10, 2017. Tickets are available at the OPC.

RECOGNITIONS

2017-0039 Proclamation in Recognition of Ed Anzek

Mayor Barnett stated that it is always with mixed emotion that he announces and congratulates someone who has provided excellent service to the City; and he announced that Ed Anzek, Director of Planning and Economic Development, will be retiring in nine days. He commented that Mr. Anzek has played a strong leadership role since he joined the City in 2000, and has been visionary and easy to approach.

Mr. Wiggins expressed his appreciation for Mr. Anzek's hard work. He commented that the City will have big shoes to fill.

Mr. Kubicina noted that Mr. Anzek is a fellow Ohioan, coming from the Cincinnati area. He stated that he is impressed how Mr. Anzek developed his staff, noting that they are a great team. He commented that he will be missed.

Mr. Hetrick stated that it will be difficult to see Mr. Anzek go. He commented that Mr. Anzek's knowledge of zoning, planning, and land use made his time on the Planning Commission much easier. He noted that Mr. Anzek has been a catalyst to help the City of Rochester Hills grow.

Mr. Brown expressed his appreciation for the support Mr. Anzek has given him in his 3-1/2 years on Council. He commented that often Mr. Anzek's work is behind the scenes, recruiting the right businesses for the city. He stated that Mr. Anzek's work was critical to ensure that the city looks the way it does.

Dr. Bowyer stated that it has been a pleasure to work with Mr. Anzek over the past year.

Vice President Morita stated that she has had the pleasure of working with Mr. Anzek in three different capacities, first in 2004 when they were first purchasing their home and the Adams/Hamlin development was underway, then when she was a member of the Brownfield Redevelopment Authority, and now as a City Council member and representative to the Planning Commission. She stated that Mr. Anzek was familiar with everything and had an answer to all her questions, and commented that it has been a great experience working with him.

President Tisdell stated that he is starting his sixth year on Council, and expressed his appreciation for Mr. Anzek's patience and willingness to share his time and expertise. He commented that Mr. Anzek will be missed.

Mayor Barnett stated that over the years Mr. Anzek has led his department with distinction. He commented that Rochester Hills is a growing community and is not without challenges. He noted that Rochester Hills has been named one of the Top 10 places to live, and Mr. Anzek's department is the one most responsible for this. He pointed out that Rochester Hills currently has a 3.1 percent unemployment rate, which is the second lowest in the state of Michigan; and the city has a one percent vacancy rate in industrial properties and 3.4 percent vacancy rate overall. He mentioned that previous team members are running departments in neighboring cities, and he stated that the current Planning Team is constantly being courted. He stated that the City has 11 directors who work hard every day, and Mr. Anzek is one of those great leaders. He commented that the City will miss him. He read the proclamation recognizing Mr. Anzek.

Mr. Anzek stated that this has been a great opportunity for him, and commented that he has enjoyed working with Mayor Barnett over the years. He expressed his appreciation to Council for their leadership, and stated that they always make the right decision. He thanked his staff members, and those staff members who

preceded them, along with City Attorney John Staran. He commented that he and his wife have always searched for a place to retire, and he stated that it is here.

Council congratulated Mr. Anzek.

Presented.

Whereas, on the occasion of his retirement, the Mayor and City Council wish to express their sincere appreciation to Ed Anzek for his unwavering professionalism, commitment, and loyalty to the City of Rochester Hills; and

Whereas, throughout the years, Ed has committed his time and considerable talents to helping shape our city. As Planning Director, Ed worked to build a consensus on how Rochester Hills should grow, and his vision for what we will be tomorrow will serve our residents and business owners for generations to come; and

Whereas, during his tenure as Planning Director, Ed has witnessed many challenges and celebrations on our journey to becoming the city we are today. Through it all, Ed has strived for positivity, excellence, and outstanding results that will continue to improve and enhance our beautiful city; and

Whereas, in addition to his skills and talents as Planning Director, Ed is an exceptional leader. His commitment to his department team is second to none and his employees and colleagues have flourished under his generous leadership.

Now, Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills hereby recognize Ed Anzek for his dedication and service to the City of Rochester Hills, and wish him continued success in all his future endeavors.

Be It Further Resolved, that on behalf of the department directors and entire city staff, we wish Ed health, happiness, and the very best in his retirement.

PUBLIC HEARINGS

2016-0568 Request to consider the establishment of an Industrial Development District (IDD) at 3499 W. Hamlin Road, Rochester Hills, Michigan

Attachments: [012317 Agenda Summary Molex IDD.pdf](#)
[Suppl Presentation.pdf](#)
[Molex Letter of Intent for IFT - Signed.pdf](#)
[Molex IFT Application.pdf](#)
[Public Hearing Notice.pdf](#)
[010917 Agenda Summary.pdf](#)
[010917 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Brown stated that as he works for a competitor to Molex, he would recuse himself from discussion and vote on this item.

*Molex, LLC, representatives **Dawson Shiller**, Business Unit Director, and **Matt Radke**, Facilities Manager and Project Leader, were in attendance.*

Pamela Valentik, Manager of Economic Development, stated that Molex, LLC, is the new owner of the former Volkswagen (VW) Building at 3499 W. Hamlin Road. She explained that VW operated a call center in the leased building for a number of years, and noted that the building has been vacant for the past five years. She stated that the City has been working with the team at Molex to determine whether the building would accommodate Molex's plan for expansion. In 2016, they officially committed to Rochester Hills and acquired the building. As a part of their acquisition, their plans are to construct an addition; and Molex has asked for a tax abatement on real property.

Mr. Shiller gave a brief presentation regarding Molex, their expansion plans, and their request for the tax abatement. He noted the following:

- Molex is an electronic connector and solutions provider, headquartered in Lisle, Illinois. The company is a wholly-owned subsidiary of Koch Industries, with 45 manufacturing locations in 17 countries.
- Molex employs 45,000 around the world, and has \$4 billion in revenue annually from 100,000 products.
- Molex's vision focuses on creating value for customers and society. A reorganization of the global company in 2014 resulted in Auburn Hills being the headquarters for a newly-formed division, the Transportation and Industrial Solutions Division. The division consists of three business units. Rochester Hills will be the headquarters for all three business units, encompassing the following:
 - * Transportation Solutions - serving automotive and transportation customers
 - * Connected Mobility Solutions - serving connected mobility customers
 - * Industrial Solutions - serving industrial customers

He noted that Molex is out of space in Auburn Hills in its current 86,000 square foot building. Looking at their headcount projections, 80 to 100 new jobs are expected in their five-year plan. He stated that after considering other locations, with its connections to the automotive industry, the firm decided to stay in close proximity to Auburn Hills. He explained that Molex cannot feasibly expand the Auburn Hills location because it is landlocked. He highlighted the Rochester Hills project expansion:

- The existing building is 128,000 square feet. An expansion of 15,000 square feet is proposed resulting in 143,000 square feet. Research and development laboratory space is projected at 53,000 square feet to house their testing facility. Parking for 475 employees will support Molex's 10-year growth plan.
- The facility will be designed with amenities to attract and retain top talent, including a world-class engineering design center, LED lighting upgrades, a fitness center, electric car charging stations, and a green roof and lawn expansion.
- In addition to the purchase price, the firm will invest another \$16 million in the property and business. Construction is proposed to begin in the next month or so.

Ms. Valentik noted that in order to consider approval of the tax abatement, the State Tax Commission requires the City to establish an Industrial Development District.

President Tisdel stated that a Public Hearing is required.

President Tisdel Opened the Public Hearing at 7:38 p.m. Seeing no public input, President Tisdel Closed the Public Hearing at 7:39 p.m.

Dr. Bowyer commented that it is good to see that Molex is invested in making their company a great place to work. She added that Molex's emphasis on going green makes it a responsible employer.

Mr. Hetrick expressed his thanks to the firm for being a part of the Rochester Hills community and for the company's willingness to invest \$16 million to create this opportunity.

Mr. Kubicina stated that he spent 40 years working for Delphi and is very familiar with Molex's products. He commented that Molex is considered a world-class supplier. He stated that the company chose a great city and should be able to attract talent.

Vice President Morita welcomed Molex to Rochester Hills, and noted that she lives close to their new facility. She questioned whether Molex will be vacating their space in Auburn Hills.

Mr. Schiller responded that they would, and he noted that the property is currently on the market.

Mayor Barnett expressed his appreciation to the Molex representatives for their presentation this evening, and thanked them for investing in the city. He pointed out that 300 jobs will be brought into the city, with an additional 150 created. He commented that the neighborhoods are full of people who work at the various firms, and he stated that the creation of high technology and high-paying jobs increases the value of homes.

A motion was made by Bowyer, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdel and Wiggins

Abstain 1 - Brown

Enactment No: RES0021-2017

Whereas, pursuant to PA 198 of 1974, as amended, the Rochester Hills City Council has the authority to establish Industrial Development Districts within the City of Rochester Hills; and

Whereas, Molex, LLC has filed a request for the establishment of an Industrial Development District for property it owns, identified as 3499 W. Hamlin Rd., Rochester Hills, MI 48309, also known as Parcel No. 15-30-227-004, further described as:

T3N, R11E, SEC 30 PART OF N 1/2 OF SEC BEG AT PT DIST S 00-19-29 E 1058.39 FT & S 76-10-56 W 718.31 FT & S 84-44-06 W 76.24 FT & S 81-40-16 W 1027.66 FT FROM NE SEC COR, TH S 03-23-22 E 446.87 FT, TH S 83-03-17 W 83.49 FT, TH N 88-41-47 W 616.86 FT, TH N 67-46-14 W 300 FT, TH N 45-01-47 W 300 FT, TH N 44-57-49 E 200.83

FT, TH N 00-01-47 W 33 FT, TH N 89-58-13 E 126.55 FT, TH N 89-24-07 E 890.68 FT, TH S 03-23-22 E 67.95 FT TO BEG 11.94 A5-24-96 FR 002

Whereas, construction, acquisition, alteration or installation of a proposed facility has not commenced at the time of filling the request to establish this district; and

Whereas, written notice has been given by mail to all owners of real property located within the district and to the public by newspaper advertisement in the Oakland Press on the establishment of the proposed district; and

Whereas, the Rochester Hills City Council held a Public Hearing regarding this request at the Regular Meeting of January 23, 2017 at 7:00 p.m. in the Council Chambers at 1000 Rochester Hills Dr., Rochester Hills, Michigan, during which the owner of the property, taxing authorities and all residents and taxpayers of Rochester Hills were given the opportunity to be heard; and

Whereas, the Rochester Hills City Council deems it to be in the public interest of the City of Rochester Hills to establish the Industrial Development District as proposed; and

Whereas, the establishment of an Industrial Development District is consistent with the objectives of the City for industrial development and the creation of new employment opportunities.

Resolved, that pursuant to the provisions of PA 198 of 1974, as amended, the above listed legal description is hereby designated as an Industrial Development District.

2016-0569 Request for Approval of an Industrial Facilities Exemption Certificate (IFT or tax abatement) for Molex, LLC, located at 3499 W. Hamlin Road, Rochester Hills, Michigan

Attachments: [012317 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Molex Letter of Intent for IFT - Signed.pdf](#)
[Molex IFT Application.pdf](#)
[Draft Development Agreement.pdf](#)
[Financial Analysis CC Molex.pdf](#)
[Tax Exemption Chart.pdf](#)
[Tax Abatement Policy.pdf](#)
[Public Hearing Notice.pdf](#)
[010917 Agenda Summary.pdf](#)
[010917 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Brown stated that as he works for a competitor to Molex, he would recuse himself from discussion and vote on this item.

Molex, LLC, representatives **Dawson Shiller**, Business Unit Director, and **Matt Radke**, Facilities Manager and Project Leader, were in attendance.

Pamela Valentik, Manager of Economic Development, stated that Molex's total investment is \$16 million plus what the company paid for the building at 3499 W. Hamlin Road. She explained that the tax abatement request is only for the real property investment, and does not include the personal property. She noted that the abatement does not apply to taxes on the land, and she stressed that

the City and all taxing jurisdictions will collect full taxes on the land and the existing building. The abatement will apply to the increased taxable value of the addition.

She pointed out that in reviewing City Council's Tax Abatement Policy, a 12-year exemption is warranted. She mentioned that a financial analysis was included that was arrived at using staff's best estimate of the 12-year abatement. She noted that the analysis assumes that the City's millage rate will remain the same, and also incorporates an assumption regarding the value of the final finished project. She stated that the investment will generate \$2,469,900 in revenues for all taxing jurisdictions, with the City receiving a projected \$512,664. She pointed out that the total savings to Molex would be \$120,168.

Ms. Valentik stressed that the City has tried to market the property for five years and is happy to welcome Molex to the community. She commented that Molex will create an environment to attract and retain top talent. She mentioned that having a global headquarters for a large company will give her much credibility when speaking with other companies about Rochester Hills.

President Tisdel commented that it is easier for Council to be generous with tax dollars it is not currently receiving. He stated that he looked forward to Molex's expansion and the addition of the exact type of jobs the City is looking for.

Mr. Hetrick commented that this is the right company to bring jobs consistent with what the outgoing Planning and Economic Development Director would want.

President Tisdel Opened the Public Hearing at 7:50 p.m. Seeing No Public Comment, President Tisdel Closed the Public Hearing at 7:51 p.m.

Mayor Barnett noted that the project will provide about \$1.2 million in revenue to the Rochester Community School System over the next 12 years.

A motion was made by Hetrick, seconded by Wiggins, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdel and Wiggins

Abstain 1 - Brown

Enactment No: RES0022-2017

Whereas, pursuant to PA 198 of 1974, as amended, after a duly noticed Public Hearing held on January 23, 2017, the Rochester Hills City Council by resolution established that Molex, LLC is located within an Industrial Development District; and

Whereas, the Industrial Development District is that property located at 3499 W. Hamlin Rd., also known as Parcel No. 15-30-227-004 and further described as:

T3N, R11E, SEC 30 PART OF N 1/2 OF SEC BEG AT PT DIST S 00-19-29 E 1058.39 FT & S 76-10-56 W 718.31 FT & S 84-44-06 W 76.24 FT & S 81-40-16 W 1027.66 FT FROM NE SEC COR, TH S 03-23-22 E 446.87 FT, TH S 83-03-17 W 83.49 FT, TH N 88-41-47 W

616.86 FT, TH N 67-46-14 W 300 FT, TH N 45-01-47 W 300 FT, TH N 44-57-49 E 200.83 FT, TH N 00-01-47 W 33 FT, TH N 89-58-13 E 126.55 FT, TH N 89-24-07 E 890.68 FT, TH S 03-23-22 E 67.95 FT TO BEG 11.94 A5-24-96 FR 002

Whereas, Molex, LLC has filed an application for an Industrial Facilities Exemption Certificate on December 2, 2016 for real property to be installed within the Industrial Development District; and

Whereas, installation of new facility had not begun earlier than six months before December 2, 2016, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

Whereas, before acting on said application, the Rochester Hills City Council held a Public Hearing on January 23, 2017 at 1000 Rochester Hills Dr., Rochester Hills, MI 48309 at 7:00 p.m. for which Hearing the applicant, the Assessor and the taxing authorities were given written notice and were afforded an opportunity to be heard and after review of the application, the City Council made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force under PA 198 of 1974 does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.
- b. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.
- c. The addition of the facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.
- d. The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Rochester Hills, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the City of Rochester Hills, plus the SEV of personal and real property thus exempted.

Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the Rochester Hills City Council hereby approves the request of Molex, LLC for an Industrial Facilities Exemption Certificate for a period of 12 years after project completion for real property only; and

Be it Further Resolved, that the accompanying agreement between Molex, LLC and the City of Rochester Hills is hereby approved and is to be received by the Department of Treasury and the State Tax Commission along with the Resolution by October 31, 2017; and

Be it Finally Resolved, that the Mayor is authorized the sign the Agreement after review by the City Attorney's office as to form.

PLANNING AND ECONOMIC DEVELOPMENT

2016-0474 Request for Conditional Use Approval to allow sales for on-site consumption of alcoholic beverages at 2941 Street Foods Troy, located at 87 W. Auburn Rd., at the southwest corner of Rochester and Auburn in the Rochester Auburn Retail Center, zoned B-3, Shopping Center Business with an FB-2 Overlay; 2941 Street Foods Troy, LLC, Applicant

Attachments: [012317 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Map aerial.pdf](#)
[Staff Report 122016.pdf](#)
[Letter Marcus 113016.pdf](#)
[Proposed Revised Flr Plan - 2.pdf](#)
[PC Draft Minutes 122016.pdf](#)
[PHN PC.pdf](#)
[Resolution \(Draft\).pdf](#)

Ed Anzek, Director of Planning and Economic Development, stated that Council adopted an Ordinance in 2015 requiring a Conditional Land Use for new operations serving alcoholic beverages. He explained that 2941 Street Foods Troy LLC appeared before the Planning Commission on January 20, 2016, and the Commission unanimously recommended approval.

President Tisdell stated that this item was slated for an earlier Council agenda; however, there was outstanding documentation that needed to be submitted.

Vice President Morita noted that no representative of the restaurant was in attendance. She stressed that she did not want to set a precedent.

City Clerk Tina Barton stated that they were notified that their item would be on this agenda for consideration.

President Tisdell noted that the restaurant is currently serving beer and wine at this location and are opening three more restaurants. He commented that the restaurant has been a great success.

Mr. Anzek concurred, noting that it is one of staff's favorites.

A motion was made by Brown, seconded by Wiggins, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0023-2017

Resolved, that the Rochester Hills City Council hereby approves the request for conditional use approval to allow sales for on-site consumption of alcoholic beverages at 2941 Street Foods Troy, located a 87 W. Auburn Rd., at the southwest corner of Rochester and Auburn in the Rochester Auburn Retail Center, zoned B-3, Shopping Center with an FB-2 Overlay, part of Parcel No. 15-34-227-048, with the following six (6) findings:

Findings:

1. The use will promote the intent and purpose of the Zoning Ordinance.

2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal is having a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, draining ways, and refuse disposal.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2017-0005 Request for Michigan Liquor Control Commission approval for an application for a Transfer of a Class C Liquor License for 2941 Street Foods Troy, LLC

Attachments: [012317 Agenda Summary.pdf](#)
[Application.pdf](#)
[MLCC Information.pdf](#)
[Attorney letter.pdf](#)
[Site Plan.pdf](#)
[Paid Receipt.pdf](#)
[Resolution \(Draft\).pdf](#)

City Clerk Tina Barton explained that 2941 Street Foods Troy, LLC, received their liquor license from the State prior to making the application to the City. She stressed that this is a transferred license that does not affect the City's quota of licenses. She commented that the restaurant is making their way to compliance. She noted that a Class C Liquor License was purchased; however, the restaurant has chosen not to serve a full bar at this point.

A motion was made by Kubicina, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0024-2017

Resolved, that the Rochester Hills City Council recommends that the application for a Transfer of a Class C Liquor License from 2941 Street Foods Troy, LLC, to be located at 87 Auburn Road be considered for approval by the Michigan Liquor Control Commission.

2017-0021 Request for Conditional Use Approval for the establishment of an automotive service center, located at 1020 W. Hamlin Rd., at the northwest corner of Livernois and Hamlin, zoned REC W Regional Employment Center-Workplace; Hans Cherniawski, Applicant

Attachments: [012317 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Staff Report 011717.pdf](#)
[Aerial Map.pdf](#)
[Applicant Letter.pdf](#)
[Owner Approval.pdf](#)
[Site Pictures.pdf](#)
[Survey.pdf](#)
[Floor Plan.pdf](#)
[Minutes PC 011717.pdf](#)
[PHN CU 011717.pdf](#)
[Resolution \(Draft\).pdf](#)

Ed Anzek, Director of Planning and Economic Development, noted that **Phil Kolesar**, employee of Cruise Transmission, was in attendance to represent the Cherniawski's, who were on a trip to celebrate their 35th anniversary. He explained that the City has been working with the Cherniawski's since they learned that their lease would not be renewed for their current location. He noted that they found a site one-quarter mile from their current location with the same size and ideal configuration to relocate their business. He stated that the Planning Commission recommended approval of the Conditional Land Use with four conditions, and he noted that these conditions are the same as those that they currently operate under.

President Tisdell pointed out that Cruise Transmission is a successful existing business, with much of their work being by contract. He commented that this would have minimal impact in the community.

Vice President Morita noted that she attended the Planning Commission Meeting, and commented that this particular property has had difficulty in finding tenants and has been vacant for some time. She stated that the surrounding neighbors will not realize that they are there.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0025-2017

Resolved, the Rochester Hills City Council hereby approves a Conditional Use Permit for an automotive service center at 1020 W. Hamlin Rd., at the northwest corner of Livernois and Hamlin, zoned REC W Regional Employment Center - Workplace, Parcel No. 15-21-477-023, Hans Cherniawski, Applicant, with the following findings and conditions:

Findings:

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal is having a positive impact on the community as a whole and the surrounding area by further offering jobs.

4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions:

1. All work on vehicles will be conducted inside the structure.
2. All vehicles in for repair will be stored indoors overnight.
3. Site will be kept in a generally clean and neat condition.
4. All work will be conducted between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday.

2017-0022 Request for Preliminary Site Condominium Plan Approval - Saddlebrook Orchards Site Condominiums, a proposed 9-unit residential development on 5 acres, located north of Auburn Rd., between Crooks and Livernois, across from Wilmington Blvd., zoned R-4 One Family Residential with MR Mixed Residential Overlay; Mike Magnoli, Gianna Investments, LLC, Applicant

Attachments: [012317 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Prelim. Staff Report 011717.pdf](#)
[Aerial Map.pdf](#)
[Environmental Impact Statement Saddlebrook Orchards.pdf](#)
[Applicant Response to Review Comments.pdf](#)
[Review Comments.pdf](#)
[Proposed Home Color Rendering.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 011717.pdf](#)
[PHN PSCP.pdf](#)
[Resolution \(Draft\).pdf](#)

*Present for the applicant was **John Dell'Isola** with PEA, Inc.*

***Ed Anzek**, Director of Planning and Economic Development, explained that this project will be located on a five-acre site on the north side of Auburn Road between Crooks and Livernois. He noted that it was approved in 2002 for 12 units, and the development never progressed. The process started over, with nine units now proposed. He mentioned that the Planning Commission recommended approval. He noted that 11 units could have been proposed; however, the developer chose to save more trees.*

***President Tisdell** pointed out that the density is half of what the zoning requirement allows for that area. He stated that approximately 50 percent more trees will be saved.*

Public Comment:

Scot Beaton, 655 Bolinger, stated that it is hard to argue with a request for less density than is allowed for R-4 zoning; however, he questioned whether the City's woodlands ordinance is preventing the development from having side-entry garage doors. He displayed a rendering that he produced that showed how the development could have side-entry garages, and commented that this would lead to less concrete in front yards. He questioned how street trees would be incorporated.

President Tisdell responded that side entrance garages actually add more concrete. He noted that the design is influenced by the size of the parcel.

Mr. Anzek stated that the home sites presented are still conceptual, and the suggestion of a side entry garage is a good one.

Mr. Dell'Isola stated that their designs are influenced by the development on the south side of Auburn Road on Wilmington, where there are many front-facing garages.

President Tisdell commented that suburban living is represented by what is out the back door, while urban living is what is out the front door. He stated that Mr. Beaton's point is well-taken, noting that if the development has more pedestrian traffic, side entries would be nicer.

Mr. Anzek mentioned that the developer must contribute \$200 per lot for street trees which will be planted by the City's Forestry Department when construction is complete. He stated that this represents approximately two trees per lot, and noted that they are not represented on the landscape plan.

Mr. Hetrick questioned whether a buyer could request a side-entry garage.

Mr. Dell'Isola responded that lot widths vary, and some lots would accommodate a side-entry garage better than others.

A motion was made by Hetrick, seconded by Morita, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0026-2017

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Saddlebrook Orchards Site Condominiums, a 9-unit residential development on five acres, located north of Auburn Rd., between Crooks and Livernois, zoned R-4 One Family Residential with an MR Mixed Residential Overlay, Parcel No. 15-28-300-029, Mike Magnoli Gianna Investments, LLC, Applicant, based on plans dated received by the Planning and Economic Development Department on December 7, 2016 with the following findings and conditions:

Findings:

1. Upon compliance with the following conditions, the proposed condominium plan meets

all applicable requirements of the zoning ordinance and one-family residential detached condominium.

2. Adequate utilities are available to properly serve the proposed development.
3. The preliminary plan represents a reasonable street layout.
4. The Environmental Impact Statement indicates that the development will not have substantially harmful effects on the environment.
5. Remaining items to be addressed on the plans may be incorporated on the final condominium plan without altering the layout of the development.

Conditions:

1. Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to issuance of a Land Improvement Permit.
2. Provide landscape bond in the amount of \$161,231 plus inspection fees, prior to issuance of a Land Improvement Permit.
3. Provide an irrigation plan and cost estimate, prior to issuance of a Land Improvement Permit.
4. Payment of \$1,800 into the tree fund for street trees prior to issuance of a Land Improvement Permit.
5. Approval of all required permits and approvals from outside agencies.
6. Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.
7. Submittal of By-Laws and Master Deed for the condominium association along with submittal of Final Preliminary Site Condo Plans.

2017-0029 Request to consider the approval of a Lot Split for the property at 244 Shadywood Rd.; Brandon and Lisa Schmidt, Applicants

Attachments: [012317 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Schmidt Email 122916.pdf](#)
[Current Lot and Proposed Split.pdf](#)
[Alternate Resolution for Denial.pdf](#)
[Resolution \(Draft\).pdf](#)

Ed Anzek, Director of Planning and Economic Development, introduced **Brandon and Lisa Schmidt**, owners of 244 Shadywood Road.

Mr. Schmidt explained that he and his wife purchased the property on Shadywood in November of 2015. He noted that the home had been vacant for a number of years and the roof had fallen in. He stated that a demolition permit was pulled and the house removed along with a pool and pool house. He commented that they hoped to split the lot in order to build two homes, with his twin brother building a home on the resulting second lot.

He stated that after receiving the denial letter, he requested this be taken for Council's consideration as the Ordinance in question is rather subjective. He pointed out that Lot 75 is one of the largest lots, and the resulting proposed splits would be six-tenths of an acre with over 100 feet of frontage. He mentioned that he reviewed the lots in Avoncroft and noted that the overall average square footage of the existing lots are smaller than his proposed split. He noted that Shadywood is a unique street with older cinder block homes along with new construction. He stated that he wished to build a ranch, and his brother is hoping to construct a colonial. He commented that his neighbors were not in opposition.

President Tisdell noted that the language in the Ordinance states that the split should be consistent and harmonious with the surrounding area. He questioned what the standards were for considering what constitutes the surrounding area.

Mr. Anzek responded that this was not an easy consideration for him, as he has approved other lot splits in the area. He noted that it is a discretionary decision, and properties within 300 feet constitute the State standard for notification. He mentioned that he drove past the property today, and commented that the lot is deceptively bigger than it appears on the map.

Public Comment:

Scot Beaton, 655 Bolinger, stated that he has walked the neighborhood and it is an eclectic mix. He commented that while he emailed Council recommending that they deny the split, he can see that Lot 144 just beyond the 300 foot distance is much narrower than the proposed split. He commented that there is an underground drain running through the backyards. He stated that he now would probably recommend that Council allow the split.

President Tisdell stated that his primary concern is the subjective standard, and questioned how Council would pick and choose while maintaining integrity of the process. He noted that Lot 144 is a very narrow lot.

Mr. Anzek responded that upon reviewing the neighborhood, he noted that there have been similar splits before. He pointed out that the home built on Lot 144 still fits appropriately in scale with the neighborhood. He commented that it is his belief that the split is appropriate; however, it may set a precedent for the future.

Mr. Kubicina commented that he is impressed with what the Schmidts propose for construction. He stated that a dilapidated home was removed and two nice homes are proposed. He noted that the neighbors must be grateful for the improvement.

Mr. Wiggins questioned whether the denial is due to consideration of a 300-foot radius.

Mr. Anzek responded that it is difficult to come to a decision when it falls into a gray-area. He commented that in driving by today, this is a large and beautiful lot.

Mr. Wiggins stated that he would be in support.

Mr. Brown questioned whether the neighbors received notice or an informal poll was taken.

Mr. Anzek responded that no notification is required for lot splits.

Mr. Brown stated that if consideration falls right on the line, the City should side with its residents. He pointed out that allowing the split will result in increased taxable value for the City as two homes will be built instead of one.

Dr. Bowyer commented that it is an eclectic neighborhood, and a split would not result in something smaller than lots just outside the 300-foot radius. She stated that the resulting homes would elevate the neighborhood.

Mr. Hetrick expressed his appreciation to Mr. Schmidt for approaching his neighbors. He pointed out that the home next door is a 1,500 square foot ranch, while the home on the corner of Shadywood is a 3,000 square foot colonial on a smaller lot. He noted that he does not see the split as a detriment to the neighbors.

President Tisdell commented that the Ordinance opens the door to some subjectivity. He requested the City Attorney weigh in on the split.

John Staran, City Attorney, responded that the Ordinance is nonspecific, allowing for a discretionary decision. He stated that the drafters of the Ordinance thought that the collective wisdom of Council would come up with the best decision rather than to insert an arbitrary proximity requirement. He commented that the process that was anticipated by the Ordinance is at work tonight.

A motion was made by Brown, seconded by Morita, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0027-2017

Resolved, that the Rochester Hills City Council hereby approves a lot split for 244 Shadywood Rd., a 1.22 acre lot in the Avoncrofts Subdivision, located west of Rochester Rd. north of M-59, Parcel No. 15-34-226-024 in accordance with Sec. 122, Land Division and Sec. 122-30 Approval Procedure with the following findings:

Findings for Approval:

1. The proposed lot split would meet the requirements of the R-3 One Family Residential District, which requires to be a minimum of 90 feet wide and 12,000 square feet in size. The resulting split would result in each lot being 94 feet wide at the setback line and approximately 12,876 in size.
2. The division or partition will result in lots or parcels of land having a size and shape consistent and harmonious with that of other parcels in the immediate area.

3. There has been compliance with the requirements of this article and the other applicable provisions, standards, rules and regulations of this Code.
4. The location, size, and layout of resultant parcels will not be unreasonably detrimental to nearby residences because of noise, fumes, lights or other nuisances nor will it interfere with any adequate supply of light and air or otherwise endanger public health, welfare and safety.
5. Adequate access to roads and utilities is provided for each resultant parcel which is otherwise a buildable site.

2016-0400 Request for Adoption of the Auburn Road Corridor Study

Attachments: [012317 Agenda Summary.pdf](#)
[Presentation 012317.pdf](#)
[PC Memo 121516.pdf](#)
[AuburnRdCorridorPlan_JanuaryDraft.pdf](#)
[AuburnRdCorridor Plan_Appendix.pdf](#)
[Edits from planning commission draft.pdf](#)
[OHM Cost Estimate.pdf](#)
[Public Comment Emails.pdf](#)
[PC Draft Minutes 122016.pdf](#)
[Resolution \(Draft\).pdf](#)

Ed Anzek, Director of Planning and Economic Development, introduced **Brad Strader**, AICP, PTP, Senior Associate, and **Caitlin Mallory-Marcon**, Associate, MKSK. He noted that the consultant team did an excellent job on the study, laying out a good target for the future.

Mr. Strader stated that the Planning Commission recommended approval of the plan. He explained that the City reviewed past plans, and noted that while they were good, things have not happened. He stated that they looked at what other places have done and took direction from the steering committee. He highlighted the project goals:

- Strengthen the overall district brand as a unique destination.
- Redesign Auburn Road into a safe and attractive place for vehicles and pedestrians.
- Create clear transitions and borders between residential neighborhoods and the commercial corridor.
- Promote City and property owner collaboration to support reinvestment.

He stated that it is difficult to show comparative examples, and listed Fourth Street in Royal Oak, North Leroy in Fenton, parts of Woodward in Birmingham and Berkley, the Nine Mile area in Ferndale, Grand River in Farmington, areas in Portage, Michigan, and Fulton in Grand Rapids. He added several cities in Ohio.

Ms. Mallory-Marcon highlighted the process to date, listing the various committee and public meetings held, and meetings held with the Michigan Department of Transportation (MDOT). She listed a variety of opinions were heard during

the three public open houses, with the most contentious topics centering around whether to use street closures as a tool. She noted that the majority of opinions support road redesign, with many enthused about public spaces. Requests for safer crossings, better lighting and sidewalks were heard. Concerns were expressed that alleys should not be blocked as there is a need to maintain delivery access.

She reviewed the results of 158 responses to a survey which favored dedicated parking as a solution as long as it is heavily buffered from the residences. Closing streets was not as widely favored, with 55 percent favoring closures, 37 percent not favoring closures, and 8 percent wanting different streets closed than those suggested in the survey. She noted that 108 of the 158 respondents were residents.

Mr. Strader reviewed the result of stakeholder interviews and a market study that was conducted by the Chesapeake Group which found that there is an untapped market for the Brooklands area. He noted that there is market for attached residential, along with office and research uses. He mentioned that opportunities for niche retail exist as well.

He stated that while the focus of the steering committee was the Brooklands area, the study reviewed the entire length of Auburn Road. He highlighted suggested changes for Adams and Auburn and for John R and Auburn. He noted that the Brooklands area encourages reinvestment, proposing facade changes. He commented that Oakland County Economic Development or the City might be able to provide incentives to help, such as providing facade design services.

He explained that the zoning regulations for the area were fairly good; however, some adjustments could be considered such as increasing parking standards, allowing limited attached residential, encouraging two-story mixed-use, and requiring better buffering between commercial and residential properties.

He reviewed alternatives for road design, highlighting angled parking, parallel parking, or slip road designs. He commented that Auburn Road is owned by MDOT, and he stated that MDOT did not favor angled parking as speeds on the road are too high. He noted that the slip road takes up more pavement area, heightening stormwater concerns. Parallel parking could include medians. He commented that medians reduce the crash potential, and allow for easier pedestrian crossings.

He reviewed the possibility of street closures, noting that this option has many pros and cons. He stressed that MDOT will require a traffic operations analysis and additional meetings with neighbors prior to allowing street closures.

Ms. Mallory-Marcon stated that the plan does not show street closures as a recommendation, and noted that this is a tool that could be used in the future.

Mr. Strader commented that Harrison was offered as a consideration for closure as it could be an area that provides public gathering space. He mentioned that some of the stormwater needs could be accommodated in alley redesign or in the public

spaces. He noted that the least practical use for the public space would be a parking lot.

He highlighted how a gateway could be incorporated with curb extensions to let motorists know that they are entering a different area and encourage them to slow down.

He commented that additional changes and edits to the draft plan were made following the Planning Commission meeting.

Mr. Strader highlighted the action plan suggested, including integration of the Study into the next Master Plan update, and providing financial or soft incentives to encourage redevelopment.

Public Comment:

Scot Beaton, 655 Bolinger, stated that the residents of Brooklands have been shown plans for over 30 years, and he commented that every previous plan resulted in disagreement between MDOT and the business owners on parking concerns. He stated that the City has done a brilliant job of convincing MDOT that this should be a viable walkable neighborhood with on-street parking. He mentioned that the homes in Brooklands were constructed starting in 1916. He stated that he hopes that funding can be located to fix the road and inspire development to come forward.

Pat Marchione, 3073 Longview Avenue, stated that this is a wonderful plan; however, she would not want Harrison closed. She stated that students use Marlowe to walk to school, which is the next street over and has no sidewalks.

Sam Logan, 3234 Melvin Avenue, stated that he is in support of the study. He commented that the handful of individuals coming out in opposition may be doing so as they are afraid of change. He noted that a community with communal and commercial space increases and accentuates the value of physical life and social engagement.

Mr. Strader responded to public comment, noting that the Principal of Reuther Middle School was consulted. He noted that a Safe Routes to School program is being implemented, which may change the routes that students use to walk to school. He pointed out that pedestrian improvements are highlighted throughout the district.

President Tisdell stated that there will be a traffic analysis undertaken prior to any street closures. He commented that if public spaces will be incorporated, one of the primary opportunities to their development will be closures. He questioned how parking might occur on adjacent streets with no sidewalks if the development becomes popular.

Mr. Strader responded that the design of each block will be reviewed, along with visibility. He commented that one advantage of street closures is to direct pedestrian traffic to clearly-marked crosswalks. He mentioned that MDOT has changed to look more favorably at walkability. He stated that MDOT could

support any of the plans with the exception of angle parking, and commented that they were in favor of more closures.

Mr. Wiggins commented that it is his belief that this was the most communication that he has seen for any similar type of project.

Mr. Anzek responded that there were surveys for the market analysis and for public input. He mentioned that the surveys were online for three months.

Mr. Wiggins stated that the committee had great input from residents and business owners. He commented that he is not in support of the road closures. He pointed out that the price tag for road work and infrastructure is around \$3 million, and he stated that funding should be sought. He commented that this will be a great start and a catalyst to get things going.

Dr. Bowyer commented that she lived on Culbertson in 1980, and she stated that she is not in favor of closing streets. She noted that the City is growing and this area needs to start to redevelop.

President Tisdell stated that the intent of this type of development is to draw congestion and slow traffic. He noted that public spaces give people a reason to stop and get out of their cars. He stressed that the City must attract and retain millennials and baby boomers.

Mayor Barnett commented that he has a strong affection for the Brooklands area. He noted that there are some challenges to this and he would suggest to Council and to the consultant team that bold changes will require bold leadership and bold steps to be taken. He suggested that street closures not be taken off the table yet. He stated that he would challenge the team to design ways to have great placemaking opportunities. He mentioned the initial opposition to the redevelopment of Meadow Brook Mall, noting that the Village of Rochester Hills was one of the first lifestyle centers in a winter area.

Mr. Hetrick commented that the draft plan brings great ideas and much discussion and emotion. He concurred with Mayor Barnett, noting that Berkley closed a road and created a great gathering space. He questioned whether a roundabout at Culbertson was a possibility, and if incentives could be used to promote alleyway redevelopment.

Mr. Strader responded that an elongated median was favored over a roundabout at that area. He commented that roundabouts are usually installed where the roads have high volumes or crashes. He noted that some of the alleys on the north side are private, and an incentive could be that the owner donates the alley back to the City. He cited alleyway improvements in Grand Haven yielded an award for walkability.

Mr. Anzek stated that if alley improvements support alternatives to vehicles, there could be incentives.

Mr. Hetrick questioned how much confidence could be given to the infrastructure funding estimate.

Mr. Anzek responded that the estimate is \$2.4 million with a 20 percent contingency. He commented that the estimate is a starting point, and once the design progresses more into the details, items are typically discovered that could run the cost up. He mentioned that he and Sara Roediger, Manager of Planning, would be working next week to incorporate the study into the Capital Improvement Plan.

Mr. Brown stated that the best development plans are the plans that have homeowner engagement, and town hall-style meetings. He encouraged keeping the residents engaged as plans progress.

Vice President Morita expressed her appreciation for everyone's hard work.

A motion was made by Wiggins, seconded by Bowyer, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0028-2017

Whereas, the Planning Commission has made a careful and comprehensive study of present conditions and the future needs of certain sub areas of the City in its Master Land Use Plan Update of 2013 including the Auburn Road Corridor from Adams to Dequindre; and

Whereas, in its 2016 budget, the Rochester Hills City Council approved funding for the Auburn Road Corridor to be studied regarding infrastructure improvements in support of private and public development; and

Whereas, in 2016 the City selected consultants (LSL, MKSK and OHM Advisors) to evaluate existing infrastructure and provide a combined study for the Auburn Road corridor, with a major focus on the Olde Towne District on the north and south sides of Auburn Road between John R and Dequindre; and

Whereas, a steering committee made up of property owners, businesses, residents and interested stakeholder was formed and met three times to provide input and guidance on the plan; and

Whereas, three open house meetings were held to get input from the public on draft concepts and recommendations on May 26, 2016, October 10, 2016 and November 2, 2016; and

Whereas, an opinion survey was available to further obtain input from the public on draft concepts and recommendations and 158 total responses were received; and

Whereas, notices and agendas were duly published of meetings on elements of the Auburn Road Corridor Study, and further discussion and opportunity to be heard was had on September 27, 2016 and December 20, 2016; and

Whereas, the Planning Commission has reviewed the completed draft of the Auburn Road Corridor in detail, and:

Whereas, the Planning Commission held a Public Hearing in accordance with the

procedures in the City's Zoning Ordinance on December 20, 2016 at the Municipal Offices, 1000 Rochester Hills Dr., Rochester Hills, Michigan, and said plan was on display before the Public Hearing; and

Whereas, the Planning Commission reviewed the completed draft of the Auburn Road Corridor Study in detail at its December 20, 2016 meeting and adopted the Auburn Road Corridor Study, as amended, by unanimous vote at said December 20, 2016 meeting.

Resolved, that the Rochester Hills City Council hereby concurs with the Rochester Hills Planning Commission and supports the City's efforts to further its economic development objectives in the Master Land Use Plan and finds the development objectives and recommendations appropriate to serve as the Auburn Road Corridor Study to guide public improvements and hereby approves the Auburn Road Corridor Study on this January 23, 2017.

Be It Further Resolved, that the Auburn Road Corridor Plan will be adopted into the Master Land Use Plan as part of the next Land Use Plan review and update process.

PUBLIC COMMENT for Items not on the Agenda

Paul Clark, 250 Meadow Bridge Drive, expressed concerns over the safety of the roundabout at Hamlin and Livernois. He commented that the landscaping does not allow for viewing cars across the roundabout. He mentioned the roundabout at Utica and Dodge Park in Sterling Heights and noted that the center is lower to increase visibility.

Lee Zendel, 1575 Dutton Road, stated that motorists on Dutton Road should know that the road's condition is the fault of the Road Commission for Oakland County, and not the City's DPS Department. He stated the road is hazardous. He commented that he is amused by trial lawyer commercials highlighting huge awards, and stated that the reality is that these awards come via higher insurance premiums to all. He stated that Council should revise its three-minute limit to public comment to allow four minutes when there are fewer than five blue cards turned in. He expressed concern that the Deer Management Advisory Committee wants to only change resident actions, when the problem in the city is that there are too many deer.

Scot Beaton, 655 Bolinger, expressed his thanks to Ed Anzek for his years as Director of Planning and Economic Development. He stated that Mr. Anzek has been absolutely wonderful to work with.

CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

2017-0026 Approval of Minutes - City Council Regular Meeting - January 9, 2017

Attachments: [CC Min 010917.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0029-2017

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 9, 2017 be approved as presented.

- 2017-0016** Request for Acceptance of a Highway Easement granted by Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, for Culvers

Attachments: [012317 Agenda Summary.pdf](#)
[Highway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0030-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a highway easement granted by Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, whose address is 4564 Oakhurst Ridge Road, Clarkston, Michigan 48348, for the construction, operation, maintenance, repair and/or replacement of a highway easement over, on, under, through and across land more particularly described as Parcel No. 15-35-100-053.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

- 2017-0017** Request for Acceptance of a Storm Water System Maintenance Agreement between the City of Rochester Hills and Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, for Culvers

Attachments: [012317 Agenda Summary.pdf](#)
[Stormwater Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0031-2017

Resolved, that the Rochester Hills City Council hereby approves the storm water system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system from Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, whose address is 4564 Oakhurst Ridge Road, Clarkston, Michigan 48348, for Culvers, Parcel No. 15-35-100-053.

Further Resolved, that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

- 2017-0018** Request for Acceptance of a Watermain Easement granted by Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, for Culvers

Attachments: [012317 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0032-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by Just Burgers & Fries Holdings, LLC, a Michigan limited liability company, whose address is 4564 Oakhurst Ridge Road, Clarkston, Michigan 48348, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel No. #15-35-100-053.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

- 2017-0010** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance and repairs or upgrades of the existing traffic signals and SCATS costs in the amount not-to-exceed \$80,000.00 through January 31, 2018; Road Commission for Oakland County, Waterford, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0033-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the maintenance and repairs or upgrades of the existing traffic signals and SCATS costs to the Road Commission for Oakland County, Waterford, Michigan in the amount not-to-exceed \$80,000.00 through January 31, 2018.

- 2016-0420** Request for Purchase Authorization - FIRE: Increase to Purchase Order for various fitness equipment in the amount of \$600.00 for a new not-to-exceed purchase amount of \$48,294.61; Direct Fitness, Mundelein, IL

Attachments: [012317 Agenda Summary.pdf](#)
[102416 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[102416 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0034-2017

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Purchase Order for various fitness equipment to Direct Fitness, Mundelein, Illinois in the amount of \$600.00 for a new not-to-exceed purchase amount of \$48,294.61.

- 2017-0020** Request for Purchase Authorization - FIRE: Blanket Purchase Order for the purchase of emergency medical supplies in the amount not-to-exceed \$50,000.00 through January 31, 2018; J & B Medical Supply, Wixom, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[2016 Contract Addenda notice.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0035-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the purchase of emergency medical supplies to J & B Medical Supply, Wixom, Michigan in the amount not-to-exceed \$50,000.00 through January 31, 2018.

Passed the Consent Agenda

A motion was made by Morita, seconded by Kubicina, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Responding to public comment, **President Tisdell** noted that roundabout landscaping has been purposely elevated to block sight lines and slow traffic.*

***Mayor Barnett** concurred, noting that the design of roundabouts has changed over the years to encourage drivers to focus on the 45-degree angle of sight to the left instead of through the roundabout. Landscape is designed to visually block view.*

*Responding to public comment regarding the time allowed for public comments, **President Tisdell** noted that three minutes is the Michigan Municipal League's (MML) recommended standard. He pointed out that MML found that speakers going beyond three minutes tend to repeat what they have already said. Regarding comments on deer management, he noted that the deer population is being reduced by deer-vehicle crashes.*

***Mr. Brown** stated that President Tisdell is generous in enforcing the three-minute public comment rule. He noted that he has received feedback from residents regarding deer, and he stated that comments include concerns expressed over coyotes and potential attacks on small animals. He mentioned that he contacted Captain Johnson of the Oakland County Sheriff's Office, and Captain Johnson informed him that the city has not had any of those events recently. He noted that coyotes are typically skittish animals and are easily scared away by people.*

***Mr. Hetrick** encouraged residents concerned over deer and coyote to contact Ken Elwert, Director of Parks and Forestry. He mentioned that the Clinton River Trail is ice-free between Rochester College and the City of Rochester's limit.*

***Mr. Kubicina** encouraged anyone concerned over the deer population to attend the next Deer Management Advisory Committee meeting to voice their opinion. He pointed out that the benchmarks set by the committee were arrived at through public participation.*

***Mayor Barnett** stated that the City does receive occasional coyote complaints. He noted that coyotes do not get over 45 pounds. He announced the following:*

- He attended events in Washington, DC last week for the inauguration. The

feeling in Washington, DC is very challenging with both support and opposition.

- While in Washington, DC, he attended the Mayor's Conference where he chatted with William Ford about autonomous vehicles.
- The City was one of four communities nationwide that received a \$40,000 grant from Scott's Miracle Gro, which will be used for Riverbend Park for a sensory garden.
- The Green Schools Program is off and running. Thirteen local schools are participating this year. The program runs through the end of February/early March. Residents are encouraged to donate their RecycleBank points to the schools for cash.
- The Fire Department's annual awards event was held last Saturday, January 21, 2017.
- He attended a Red Wings Lunch at the Detroit Economic Club today.

President Tisdell stated that it was his pleasure to attend the Fire Department ceremony on Saturday. He announced that the City is kicking off its annual Capital Improvement Plan process for the 2018-2023 timeframe. He suggested that any resident who had a capital project to suggest of \$25,000 or more could submit the project via an application available on the City's website. He stated that residents can contact the responsible department for assistance in filling out the application. He noted that new project applications are due to be submitted no later than Friday, February 24, 2017, to Joe Snyder, Chief Financial Officer.

Vice President Morita extended her thanks to City EMTs Lieutenant/Paramedic Jason Murray and Fire Fighter/Paramedic Sean Mangan for their assistance with a medical situation at her home.

Dr. Bowyer noted that she is on the Deer Management Advisory Committee, and stated that their next meeting is tentatively set for March 2, 2017 at City Hall. She commented that the committee is tasked with reducing car-vehicle accidents, and she noted that coyotes keep the deer population down. She announced that a Happy Hibernation event will be held at the Museum on February 4, 2017, and a Great Backyard Bird Count will be held at the Avon Nature Center on February 11, 2017.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NEW BUSINESS

- 2015-0219** Request for Purchase Authorization - FIRE: Increase to the Blanket Purchase Order for Fire Department Uniforms and Accessories in the amount of \$40,000.00 for a new not-to-exceed amount of \$136,000.00; Nye Uniform, Troy, MI

Attachments: [012317 Agenda Summary.pdf](#)
[060115 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[060115 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sean Canto, Chief of Fire and Emergency Services, stated that an increase is needed to the Blanket Purchase Order for uniforms as the City anticipates filling six vacant full-time positions and 15 vacant part-time positions. He explained that the cost on average is \$1,500 per full-time member and \$1,000 per part-time member. The remaining monies would be used for maintenance in replacing pants and boots which are subject to wear and tear. He commented that a pair of boots is approximately \$125 to \$150 and pants are \$50 to \$60.

A motion was made by Wiggins, seconded by Brown, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0036-2017

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for Fire Department Uniforms and Accessories to Nye Uniform, Troy, Michigan in the amount of \$40,000.00 for a new not-to-exceed amount of \$136,000.00 through June 1, 2018.

2016-0570 Request for Purchase Authorization - FIRE: Purchase of two (2) new vehicles for replacement in the amount of \$60,898.00; Todd Wenzel Buick GMC, Westland, MI

Attachments: [012317 Agenda Summary.pdf](#)
[FD 2500 4x4 Pickup 17.pdf](#)
[Resolution \(Draft\).pdf](#)

Sean Canto, Chief of Fire and Emergency Services, stated that the two vehicles requested for replacement have been fully depreciated since 2012. He noted that one vehicle had a bumper fall off, and upon inspection the undercarriage was found to be beyond repair.

Mr. Brown questioned whether the solicitation for the vehicles was through the Michigan Intergovernmental Trade Network.

Chief Canto responded that the fleet bid was obtained through Oakland County.

Mr. Brown questioned whether the vehicles requested were consistent with other City vehicles to facilitate repairs.

Chief Canto responded that the City's fleet has several GMC 2500s.

A motion was made by Kubicina, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0037-2017

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of two (2) new vehicles to Todd Wenzel Buick GMC, Westland, Michigan in the amount of \$60,898.00.

- 2017-0024** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for water meters and equipment in the amount not-to-exceed \$275,000.00 through December 31, 2017; ETNA Supply Company, Grand Rapids, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Quotation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that every year, the City establishes a Blanket Purchase Order for the supply of water meters. He noted that the City has approximately 35,000 residential and commercial meters in the distribution system.

Mr. Kubicina questioned what the lifespan of the meters was.

Mr. Schneck responded that the new meters are made of composite materials and no longer have brass bodies. He stated that their warranties are for 20 years.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0038-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for water meters and equipment to ETNA Supply Company, Grand Rapids, Michigan in the amount not-to-exceed \$275,000.00 through December 31, 2017.

- 2017-0025** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for As-Needed Construction Inspection Services in the amount not-to-exceed \$150,000.00 through December 31, 2017; Spalding DeDecker Associates, Rochester Hills, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that as the construction season begins, the City needs assistance from time to time to cover construction of public infrastructure. He pointed out that this is a pass-through charge, with developers contributing to an escrow account.

A motion was made by Brown, seconded by Wiggins, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0039-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Spalding DeDecker Associates, Rochester Hills, Michigan for as-needed construction inspection services in the amount not-to-exceed \$150,000.00 through December 31, 2017.

2017-0011 Request for Purchase Authorization - DPS/ENG: Standard Agreement for Municipal Street Lighting for the upgrade of three (3) public street lights within a platted street of Cumberland Hills Subdivision in the amount of \$2,652.00; The Detroit Edison Company, Belleville, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Purchase Agreement Cumberland Hills LED Conversion.pdf](#)
[Location Map.pdf](#)
[Resolution \(Draft\).pdf](#)

Dr. Bowyer recused herself from discussion and vote on this item, as she sits on the Board of Directors for Cumberland Subdivision.

Allan Schneck, Director of DPS/Engineering, stated that Cumberland Subdivision has requested that their high pressure sodium lights be changed to LEDs. As DTE will not enter into an agreement with a homeowner's association, the City executes the agreement.

Vice President Morita stated that she was recently contacted by another resident looking into the switchover and questioned whether they should be referred to Mr. Schneck.

Mr. Schneck responded that if the lighting is within the public right-of-way, they should be referred to him or to Paul Shumejko.

Vice President Morita questioned whether the City has a list of all agreements, noting that her subdivision has an older agreement with DTE.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Abstain 1 - Bowyer

Enactment No: RES0040-2017

Resolved, that the Rochester Hills City Council hereby approves the Standard Municipal Street Lighting Agreement for the upgrade of three (3) public street lights within a platted street of Cumberland Hills Subdivision to The Detroit Edison Company, Belleville, Michigan in the amount of \$2,652.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

2017-0019 Request for Purchase Authorization - FACILITIES: Blanket Purchase Order for electric energy for City facilities in the amount not-to-exceed \$351,000.00 through December 31, 2017; DTE Energy, Detroit, MI; Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: [012317 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Director of Building and Ordinance Compliance, stated that this purchase order for electrical energy encompasses City Hall, the DPS Facility and Fire Station 1. He noted that the City is a member of the MMRMA Electric Choice Program, which is a cooperative community purchase program. All communities benefit. He commented that looking back at energy costs through the years,

from 2011 to 2016 there has been a constant decrease in power, resulting in a cost savings of approximately \$80,000 during that time. The savings were realized from the completion of various construction and energy-saving projects.

Dr. Bowyer questioned whether the City has explored solar grids.

Mr. Cope responded that it has not for City Hall, but Mr. Schneck has looked into it for the DPS Facility. He noted that it can be explored for the future.

President Tisdell commented that the DPS Facility has 100,000 square feet of flat roof.

A motion was made by Bowyer, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0041-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for electric energy to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount not-to-exceed \$351,000.00 through December 31, 2017.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, February 6, 2017 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Tisdell adjourned the meeting at 10:25 p.m.

*MARK A. TISDELL, President
Rochester Hills City Council*

*TINA BARTON, MMC, Clerk
City of Rochester Hills*

*MARY JO PACHLA, CMMC
Administrative Secretary
City Clerk's Office*

Approved as presented at the (insert date, or dates) Regular City Council Meeting.